

Amend section 40-105 to read:

40-105 APPLICANT AND RECIPIENT RESPONSIBILITY

40-105

.1 - .2 (Continued)

.3 Statewide Fingerprint Imaging System (SFIS) Requirements

.31 - .324 (Continued)

.33 The following persons are exempted from the rule in Section 40-105.32:

.331 The following persons shall be temporarily excused for a period of not more than 60 days:

(a) - (b) (Continued)

(c) Persons that have a home visit to complete their face-to-face interview (as explained in Section 40-161.2) shall complete their fingerprint and photo imaging requirement through the use of a mobile SFIS device. If the county does not have a mobile SFIS device, or if they experience technical difficulties with the mobile SFIS device, SFIS requirements can be postponed for not more than 60 days.

.332 - .5(g)(SAR) (Continued)

Authority cited: Sections 10553, 10554, 10604, 11209, 11253.5, 11265.2, 11265.3, 11265.8, 11266, 11268, 11450.5, and 11486, Welfare and Institutions Code, SB 72 (Chapter 8, Section 42, Statutes of 2011), AB 1712 (Chapter 846, Section 34, Statutes of 2012).

Reference: Sections 10553, 10554, 10604, 10830(e)(1), 11017, 11209, 11253(b)(2), 11253.5, 11265.3, 11265.8, 11266, 11268, 11450, 11451.5, 11453, 11486, 13283, 14005.2, and 18945, Welfare and Institutions Code; Section 48200, Education Code; 45 CFR 205.42(d)(2)(v)(A) and (B), as printed in Federal Register, Vol. 57, No. 198, Tuesday, October 13, 1992, page 46808; 45 CFR 205.52(a)(1) and (2); 45 CFR 233.10(a)(1)(iv) and 235.112(b); 45 CFR 400.43; 7 CFR 273.16(b); 8 United States Code (USC) 1182(d)(5)(B); 42 U.S.C. 402(a)(6) and 616(b); and Section 301(a)(1)(A) and (B) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193); California's Temporary Assistance for Needy Families State Plan dated October 9, 1996 and effective November 26, 1996; The Trafficking Victims Protection Act of 2000 (P.L. 106-386), Sections 107(b)(1)(A), (B), and (C); The Trafficking Victims Protection Reauthorization Act of 2003 (Public Law 108-193).

Amend section 40-131 to read:

40-131 INTERVIEW REQUIREMENT

40-131

.1 - .121 (Continued)

.2 Inability of Applicant to Participate in Interview

When the applicant's appropriate Statement of Facts is to be completed on his/her behalf by a guardian, conservator, or other person as provided in Section 40-128, the application interview must be with such guardian, conservator, or other person and also with the applicant unless the applicant is unable to participate because of his/her physical or mental condition or is a child in foster care. The applicant's inability to participate in the interview must be determined by the county through personal contact with the applicant. Such personal contact is required before aid is authorized. See Section 40-161 for the home visit requirements in CalWORKs.

.3 - .3(z) (Continued)

Authority cited: Sections 10553, 10554, 10604, and 18904, Welfare and Institutions Code.

Reference: Sections 10613, 11052.5, 11209, 11253.5, 11265.8, 11268(a), 11280, 11323.3, 11324.8(a), ~~AB 312, Chapter 1568, Statutes of 1990~~, 11495.1, 11500(b), and 11511(a), Welfare and Institutions Code; ~~Section 37 of AB 444 (Chapter 1022, Statutes of 2002)~~; 7 U.S.C. 2020(i), 7 CFR 273.2(j), 42 U.S.C. 616(f), 682(c)(2), (3) and (4), and 1320b-7(a)(1), 45 CFR 205.52(a)(1), 45 CFR 250.20, 45 CFR 250.40(a) and (b); 45 CFR 255.1; 45 CFR 256.1(b), and Section 301(a)(1)(A) and (B) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193): California's Temporary Assistance for Needy Families State Plan dated October 9, 1996 and effective November 26, 1996.

Amend section 40-161 to read:

40-161 HOME VISIT

40-161

- .1 A home visit prior to approval of aid and prior to completion of periodic redetermination of eligibility pursuant to 40-181.1 is required when living arrangements or other factors affecting eligibility, or apparent eligibility in cases of immediate need or diversion, cannot be satisfactorily determined without such a visit. However, the recipient's failure to comply with the provisions of Section 40-181.22 will result in the termination of the recipient's grant without the requirement of a home visit.
- .2 A home visit may also be used as reasonable accommodation to complete the face-to-face interview requirement for applicants (as described in Section 40-131.11) when an applicant is unable to attend a face-to-face interview in the county office due to a physical or mental impairment. Counties may also provide home visits to complete the face-to-face interview requirement when applicants have other extreme circumstances that may prevent them from coming in to the county office, including but not limited to, the inability to access adequate transportation where the county office is located a considerable distance from the applicant's residence.

Authority cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 11052.5 and 11266.5 (Ch. 270, Stats. 1997), Welfare and Institutions Code; Sections 11135 and 12926.1, Government Code.